

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

RICKKE LEON GREEN, )  
Petitioner, )  
v. ) Case No. CIV-06-60-L  
JOHN W. WHETSEL, Sheriff, )  
Respondent. )

**ORDER**

This matter is before the court for review of the January 26, 2006 Report and Recommendation entered by United States Magistrate Judge Robert E. Bacharach wherein he recommends that the petition for habeas relief be summarily dismissed.

The court file reflects that petitioner filed a partial objection to the Report and Recommendation and has filed other motions requesting copies of certain documents and complaining about the processing of forms by jail authorities. The court has reviewed petitioner's objection as it relates to the substance of the Magistrate Judge's recommendation. The court finds that petitioner's arguments are insufficient to overturn the recommendation of the Magistrate Judge. The Magistrate Judge properly found that petitioner is unable to obtain the relief requested because the denial of a new trial under Oklahoma law does not implicate a constitutionally protected liberty interest. Accordingly, upon *de novo*

review, the court finds that the Report and Recommendation should be and is hereby adopted in its entirety. This action is summarily **DISMISSED**. In light of this order, petitioner's motions **[Doc. Nos. 7 & 9]** are **denied**.

It is so ordered this 23rd day of February, 2006.

Tim Leonard  
TIM LEONARD  
United States District Judge